

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 1-3, 5-6, 8-16, 19-31, 33-40, and 42 remain pending in the present application. No new matter has been added.¹

By way of summary, the Office Action presented the following issues: Claims 1 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; Claims 1-2, 8-16, and 19-27 were rejected under 35 U.S.C. § 103(a) as obvious over Engstrom (U.S. Patent No. 6,549,756 B1) in view of Mault et al. (U.S. Patent Application Publ'n No. 2003/0208113 A1, hereinafter “Mault”) and Arai et al. (U.S. Patent No. 4,332,258, hereinafter “Arai”); and Claims 3, 5-6, 28-31, and 33-40 were rejected under 35 U.S.C. § 103(a) as obvious over Engstrom in view of Mault, Arai, and Yollin (U.S. Patent No. 5,990,866).

REJECTION UNDER 35 U.S.C. § 112

Claims 1 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Although it is believed that Claims 1 and 19 are sufficiently definite as written, Applicants have amended Claim 19 to clarify that the control unit is the bioindex detecting means. Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 112.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-2, 8-16, and 19-27 were rejected under 35 U.S.C. § 103(a) as obvious over Engstrom in view of Mault and Arai. In light of the several grounds of rejection on the merits, independent Claims 1, 20, and 26 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied references.

¹ The amendments to independent Claims 1, 20, and 26 find support at least in Claim 33.

Amended Claim 1 recites an input device including, in part, “bioindex detecting means for detecting a pulse wave, the bioindex detecting means located at a rear facing portion opposite to a front facing portion of a casing of the body, the front facing portion including a display screen” Applicants respectfully submit that Engstrom, Mault, and Arai fail to disclose or suggest those features.

Engstrom concerns “sensors . . . distributively disposed along the two side edges of [a] wireless mobile phone”² Mault concerns “electrodes on [a] rear surface 208 for interstitial fluid extraction”³ Arai concerns “a band 6 . . . provided to bind the finger tip, with a cover 5 laid over the finger tip”⁴ It is respectfully submitted that none of the cited references discloses or suggests “bioindex detecting means for detecting a pulse wave, the bioindex detecting means located at a rear facing portion opposite to a front facing portion of a casing of the body, the front facing portion including a display screen,” as recited in amended Claim 1.

Thus, it is respectfully submitted that Claim 1 (and all associated dependent claims) patentably distinguishes over any proper combination of Engstrom, Mault, and Yollin for at least the foregoing reasons.

It is also submitted that independent Claims 20 and 26 (and all associated dependent claims) patentably distinguish over any proper combination of Engstrom, Mault, and Arai for at least reasons analogous to those discussed above with regard to Claim 1.

It is further submitted that Yollin fails to remedy the above-noted deficiencies in Engstrom, Mault, and Arai. Accordingly, it is respectfully submitted that the rejection of dependent Claims 3, 5-6, 28-31, and 33-40 is moot.

² Engstrom, col. 3, ll. 11-13.

³ Mault, para. [0101].

⁴ Arai, col. 2, ll. 51-53.

NEW CLAIM

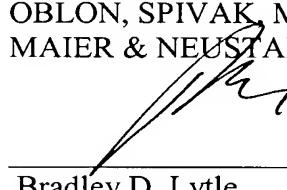
Applicants have added new Claim 42 to recite the invention of Claim 1 in a varying scope. It is respectfully submitted that new Claim 42 finds support at least in Claim 1. Thus, no new matter has been added. It is submitted that new Claim 42 is allowable by virtue of its dependency and for the more detailed features presented in the new claim.

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application patentably distinguishes over the cited art and is in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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